IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLAGTE JURISDICTION

CRIMINAL APPLICATION NO. 2486 OF 2006.

Tahir Ahmed Khan .. Applicant
V/s
The State of Maharashtra .. Respondent.

Mr. Amol Patankar for the applicant.
Mr. S.S. Pednekar, A.P.P. for the State.

CORAM : S.C. DHARMADHIKARI, J.
DATE : 21ST AUGUST, 2006.

P.C.

. On perusal of the order passed by the trial Court on applicant's bail application, it is apparent that the application has been disposed of and the relief is not granted because the alleged dues of the Bank are outstanding and the applicant/accused could not make a statement about the repayment of the alleged admitted liability.

2. Considering the legal position, this cannot be be said to be a satisfactory manner of dealing with bail application in a criminal case. That the Bank dues are outstanding by itself does not mean that the applicant/accused does not deserve to be enlarged on bail. Relevant considerations for examining the

application for being enlarged on bail are by now well settled. Thus, the approach of the trial Court cannot be sustained.

3. The order therefore, is set aside. The application for bail filed by the applicant is restored. The trial Court shall dispose of the same in accordance with the law, uninfluenced by any observations in the earlier order.

(S.C. DHARMADHIKARI, J.)